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1 ***b0962/4.9*975.** Page 896, line 25: after that line insert:

2 “SECTION 2190d. 79.03 of the statutes is repealed.”

3 ***b0963/1.5*976.** Page 896, line 25: after that line insert:

4 “SECTION 2190d. 79.03 (3) (a) of the statutes is amended to read:

5 79.03 (3) (a) The amount in the shared revenue account under s. 20.835 (1) (d),
6 2009 stats., for municipalities and the amount in the shared revenue account under
7 s. 20.835 (1) (d), 2009 stats., for counties, less the payments under sub. (2) and s.
8 79.04, and, for the distribution in 2003, the amount appropriated under s. 20.835 (1)
9 (m), (t), and (u), 2003 stats., shall be allocated to each municipality and county
10 respectively in proportion to its entitlement. In this paragraph, “entitlement” means
11 the product of aidable revenues and tax base weight.

12 SECTION 2190e. 79.03 (4) of the statutes is amended to read:

13 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and
14 79.06 from s. 20.835 (1) (d), 2009 stats., is \$869,000,000. In 1992, the total amount
15 to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d), 2009 stats.,
16 is \$885,961,300. In 1993, the total amount to be distributed under ss. 79.03, 79.04,
17 and 79.06 from s. 20.835 (1) (d), 2009 stats., is \$903,680,500. In 1994, the total
18 amounts to be distributed under this section and ss. 79.04 and 79.06 from s. 20.835
19 (1) (d), 2009 stats., are \$746,547,500 to municipalities and \$168,981,800 to counties.
20 Beginning in 1995 and ending in 2001, the total amounts to be distributed under ss.
21 79.03, 79.04, and 79.06 from s. 20.835 (1) (d), 2009 stats., are \$761,478,000 to
22 municipalities and \$168,981,800 to counties. In 2002, the total amounts to be
23 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.855 (4) (rb), 2001 stats., and
24 s. 20.835 (1) (d), 2009 stats., are \$769,092,800 to municipalities and \$170,671,600 to

counties. In 2003, the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (m), (t), and (u), 2003 stats., and s. 20.835 (1) (d), 2009 stats., are \$776,783,700 to municipalities, less the reductions under s. 79.02 (3) (c) 3., and \$172,378,300 to counties, less the reductions under s. 79.02 (3) (c) 3.”

***b0962/4.10*977.** Page 897, line 1: delete lines 1 to 6 and substitute:

“SECTION 2191b. 79.035 (1) of the statutes is amended to read:

79.035 (1) ~~In 2004 and subsequent years, except as provided under s. 79.02 (4), each~~ Each county and municipality shall receive a payment from the county and municipal aid account and, ~~beginning with payments in November 2009, from the~~ appropriation accounts under s. 20.835 (1) (q) and (r) in an amount determined under ~~sub. (2)~~ this section.”.

***b0962/4.11*978.** Page 897, line 6: after that line insert:

“SECTION 2191b. 79.035 (1) of the statutes, as affected by 2011 Wisconsin Act (this act), is repealed and recreated to read:

79.035 (1) Each county and municipality shall receive a payment from the county and municipal aid account and from the appropriation account under s. 20.835 (1) (r) in an amount determined under this section.

SECTION 2191d. 79.035 (2) of the statutes is repealed.

SECTION 2191g. 79.035 (4) of the statutes is created to read:

79.035 (4) (a) For the distribution in 2012, the total amount of the payments to all municipalities under this section shall be reduced by \$47,663,400 and the total amount of the payments to all counties under this section shall be reduced by \$29,086,600.

1 (b) 1. To calculate the reduction under this subsection for each municipality, the
2 department of revenue shall first divide \$47,663,400 by the total population of all
3 municipalities. The department shall then adjust the result of the calculation to
4 establish a per capita amount applied to all municipalities so that the reduction for
5 each municipality is no more than the maximum allowable reduction under this
6 subsection for that municipality and so that the total reductions to county and
7 municipal aid payments for municipalities under this subsection is \$47,663,400.

8 2. To calculate the reduction under this subsection for each county, the
9 department of revenue shall first divide \$29,086,600 by the total population of all
10 counties. The department shall then adjust the result of the calculation to establish
11 a per capita amount applied to all counties so that the reduction for each county is
12 no more than the maximum allowable reduction under this subsection for that
13 county and so that the total reductions to county and municipal aid payments for
14 counties under this subsection is \$29,086,600.

15 (c) 1. The reduction for a municipality that has a population of less than 2,500
16 is the amount calculated by multiplying the amount determined under par. (b) 1. by
17 the municipality's population, multiplied by the quotient of the municipality's
18 population divided by 2,500.

19 2. Except as provided under par. (h), the reduction determined under this
20 paragraph may not exceed the lesser of an amount equal to 15 percent of the
21 municipality's payment under this section in 2011, prior to any reduction under s.
22 79.02 (3) (e), or 10 cents for each \$1,000 of the municipality's equalized value, as
23 determined under s. 70.57.

24 (d) 1. The reduction for a municipality that has a population of at least 2,500,
25 but no greater than 10,000, is the amount equal to 10 cents for each \$1,000 of the

1 municipality's equalized value, as determined under s. 70.57, plus the amount
2 determined as follows:

3 a. Multiply the amount determined under par. (b) 1. by the municipality's
4 population.

5 b. Subtract 2,500 from the municipality's population.

6 c. Divide the number determined under subd. 1. b. by 7,500.

7 d. Multiply the number determined under subd. 1. a. by the number
8 determined under subd. 1. c.

9 2. Except as provided in par. (h), the reduction determined under this
10 paragraph may not exceed the lesser of an amount equal to 15 percent of the
11 municipality's payment under this section in 2011, prior to any reduction under s.
12 79.02 (3) (e), or 15 cents for each \$1,000 of the municipality's equalized value, as
13 determined under s. 70.57.

14 (e) 1. The reduction for a municipality that has a population greater than
15 10,000, but no greater than 50,000, is the amount equal to 15 cents for each \$1,000
16 of the municipality's equalized value, as determined under s. 70.57, plus the amount
17 determined as follows:

18 a. Multiply the amount determined under par. (b) 1. by the municipality's
19 population.

20 b. Subtract 10,000 from the municipality's population.

21 c. Divide the number determined under subd. 1. b. by 40,000.

22 d. Multiply the number determined under subd. 1. a. by the number
23 determined under subd. 1. c.

24 2. Except as provided in par. (h), the reduction determined under this
25 paragraph may not exceed the lesser of an amount equal to 15 percent of the

1 municipality's payment under this section in 2011, prior to any reduction under s.
2 79.02 (3) (e), or 25 cents for each \$1,000 of the municipality's equalized value, as
3 determined under s. 70.57.

4 (f) 1. The reduction for a municipality that has a population greater than
5 50,000, but no greater than 110,000, is the amount equal to 25 cents for each \$1,000
6 of the municipality's equalized value, as determined under s. 70.57, plus the amount
7 determined as follows:

8 a. Multiply the amount determined under par. (b) 1. by the municipality's
9 population.

10 b. Subtract 50,000 from the municipality's population.

11 c. Divide the number determined under subd. 1. b. by 60,000.

12 d. Multiply the number determined under subd. 1. a. by the number
13 determined under subd. 1. c.

14 2. Except as provided in par. (h), the reduction determined under this
15 paragraph may not exceed the lesser of an amount equal to 15 percent of the
16 municipality's payment under this section in 2011, prior to any reduction under s.
17 79.02 (3) (e), or 30 cents for each \$1,000 of the municipality's equalized value, as
18 determined under s. 70.57.

19 (g) The reduction for a municipality that has a population greater than 110,000
20 is an amount equal to 30 cents for each \$1,000 of the municipality's equalized value,
21 as determined under s. 70.57, plus an amount equal to the municipality's population
22 multiplied by the amount determined under par. (b) 1., except that the reduction
23 determined under this paragraph may not exceed the lesser of an amount equal to
24 25 percent of the municipality's payment under this section in 2011, prior to any

1 reduction under s. 79.02 (3) (e), or 35 cents for each \$1,000 in equalized value, as
2 determined under s. 70.57.

3 (h) The reduction determined under par. (c), (d), (e), or (f) for a town or village
4 may not exceed the lesser of an amount equal to 25 percent of the town's or village's
5 payment under this section in 2011, prior to any reduction under s. 79.02 (3) (e), or
6 the amount determined under par. (c) 2., (d) 2., (e) 2., or (f) 2. based on equalized
7 value.

8 (i) The reduction for a county is the amount determined under par. (b) 2.
9 multiplied by the county's population, except that the reduction determined under
10 this paragraph may not exceed the lesser of an amount equal to 25 percent of the
11 county's payment under this section in 2011, prior to any reduction under s. 79.02
12 (3) (e), or 15 cents for each \$1,000 of the county's equalized value, as determined
13 under s. 70.57.

14 **SECTION 2191k.** 79.035 (5) of the statutes is created to read:

15 79.035 (5) For the distribution in 2013 and subsequent years, each county and
16 municipality shall receive a payment under this section that is equal to the amount
17 of the payment determined for the county or municipality under this section for
18 2012.”.

19 ***b0963/1.6*979.** Page 897, line 6: after that line insert:

20 **“SECTION 2191d.** 79.04 (1) (a) of the statutes is amended to read:

21 79.04 (1) (a) An amount from the ~~shared revenue~~ public utility account ~~or, for~~
22 ~~the distribution in 2003, from the appropriation under s. 20.835 (1) (t), 2003 stats.,~~
23 determined by multiplying by 3 mills in the case of a town, and 6 mills in the case
24 of a city or village, the first \$125,000,000 of the amount shown in the account, plus

1 leased property, of each public utility except qualified wholesale electric companies,
2 as defined in s. 76.28 (1) (gm), on December 31 of the preceding year for "production
3 plant, exclusive of land," "general structures," and "substations," in the case of light,
4 heat and power companies, electric cooperatives or municipal electric companies, for
5 all property within a municipality in accordance with the system of accounts
6 established by the public service commission or rural electrification administration,
7 less depreciation thereon as determined by the department of revenue and less the
8 value of treatment plant and pollution abatement equipment, as defined under s.
9 70.11 (21), as determined by the department of revenue plus an amount from the
10 ~~shared revenue public utility account or, for the distribution in 2003, from the~~
11 ~~appropriation under s. 20.835 (1) (t), 2003 stats.,~~ determined by multiplying by 3
12 mills in the case of a town, and 6 mills in the case of a city or village, of the first
13 \$125,000,000 of the total original cost of production plant, general structures, and
14 substations less depreciation, land and approved waste treatment facilities of each
15 qualified wholesale electric company, as defined in s. 76.28 (1) (gm), as reported to
16 the department of revenue of all property within the municipality. The total of
17 amounts, as depreciated, from the accounts of all public utilities for the same
18 production plant is also limited to not more than \$125,000,000. The amount
19 distributable to a municipality under this subsection and sub. (6) in any year shall
20 not exceed \$300 times the population of the municipality, except that, beginning with
21 payments in 2009, the amount distributable to a municipality under this subsection
22 and sub. (6) in any year shall not exceed \$425 times the population of the
23 municipality.

24 **SECTION 2191e.** 79.04 (2) (a) of the statutes is amended to read:

1 79.04 (2) (a) Annually, except for production plants that begin operation after
2 December 31, 2003, or begin operation as a repowered production plant after
3 December 31, 2003, and except as provided in sub. (4m), the department of
4 administration, upon certification by the department of revenue, shall distribute
5 from the ~~shared revenue public utility~~ account ~~or, for the distribution in 2003, from~~
6 ~~the appropriation under s. 20.835 (1) (t), 2003 stats.,~~ to any county having within its
7 boundaries a production plant, general structure, or substation, used by a light, heat
8 or power company assessed under s. 76.28 (2) or 76.29 (2), except property described
9 in s. 66.0813 unless the production plant or substation is owned or operated by a local
10 governmental unit that is located outside of the municipality in which the production
11 plant or substation is located, or by an electric cooperative assessed under ss. 76.07
12 and 76.48, respectively, or by a municipal electric company under s. 66.0825 an
13 amount determined by multiplying by 6 mills in the case of property in a town and
14 by 3 mills in the case of property in a city or village the first \$125,000,000 of the
15 amount shown in the account, plus leased property, of each public utility except
16 qualified wholesale electric companies, as defined in s. 76.28 (1) (gm), on December
17 31 of the preceding year for "production plant, exclusive of land," "general
18 structures," and "substations," in the case of light, heat and power companies,
19 electric cooperatives or municipal electric companies, for all property within the
20 municipality in accordance with the system of accounts established by the public
21 service commission or rural electrification administration, less depreciation thereon
22 as determined by the department of revenue and less the value of treatment plant
23 and pollution abatement equipment, as defined under s. 70.11 (21), as determined
24 by the department of revenue plus an amount from the ~~shared revenue public utility~~
25 ~~account or, for the distribution in 2003, from the appropriation under s. 20.835 (1)~~

(t), 2003 stats., determined by multiplying by 6 mills in the case of property in a town, and 3 mills in the case of property in a city or village, of the total original cost of production plant, general structures, and substations less depreciation, land and approved waste treatment facilities of each qualified wholesale electric company, as defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property within the municipality. The total of amounts, as depreciated, from the accounts of all public utilities for the same production plant is also limited to not more than \$125,000,000. The amount distributable to a county under this subsection and sub. (6) in any year shall not exceed \$100 times the population of the county, except that, beginning with payments in 2009, the amount distributable to a county under this subsection and sub. (6) in any year shall not exceed \$125 times the population of the county.”.

***b0962/4.12*980.** Page 897, line 19: delete the material beginning with that line and ending with page 898, line 4, and substitute:

“SECTION 2192c. 79.043 (1) of the statutes is repealed.

SECTION 2192g. 79.043 (2) of the statutes is repealed.

SECTION 2192n. 79.043 (3) of the statutes is repealed.

SECTION 2192r. 79.043 (4) of the statutes is repealed.

SECTION 2192w. 79.043 (5) of the statutes is repealed.

SECTION 2193d. 79.043 (6) of the statutes is renumbered 79.035 (3) and amended to read:

79.035 (3) For the distribution in 2011 and subsequent years, each county and municipality shall receive a payment under this section and s. 79.035 that is equal

1 to the amount of the payment determined for the county or municipality under s.
2 79.02 (4), 2009 stats., in 2010.”.

3 ***b0942/3.1*981.** Page 898, line 10: after that line insert:

4 “**SECTION 2195m.** 83.015 (2) (b) of the statutes is amended to read:

5 83.015 (2) (b) In any county with a highway commissioner appointed under s.
6 83.01 (1) (b) or (c), the county highway committee shall be only a policy-making body
7 determining the broad outlines and principles governing administration and the
8 county highway commissioner shall have the administrative powers and duties
9 prescribed for the county highway committee under par. (a), sub. (3) (a) and ss.
10 27.065 (4) (b) and (13), 32.05 (1) (a), 82.08, 83.01 (6), 83.013, 83.018, 83.025 (1) and
11 (3), 83.026, 83.035, 83.04, 83.05 (1), 83.07 to 83.09, 83.12, 83.14 (6), 83.17, 83.18,
12 83.42 (3) and (4), 84.01 (5), ~~84.06 (3)~~, 84.07 (1) and (2), 84.09 (1), (3) (a) to (c) and (4),
13 84.10 (1), 86.04 (1) and (2), 86.07 (2), 86.19 (3), 86.34 (1), 114.33 (5), 349.07 (2), 349.11
14 (4) and (10) and 349.15 (2). No statutory power, duty or function specified elsewhere
15 for the county highway commissioner may be deemed impliedly repealed for the sole
16 reason that reference to it has been omitted in this paragraph.”.

17 ***b0962/4.13*982.** Page 898, line 10: after that line insert:

18 “**SECTION 2195g.** 79.058 of the statutes is repealed.

19 **SECTION 2195k.** 79.06 of the statutes is repealed.”.

20 ***b0990/1.1*983.** Page 898, line 10: after that line insert:

21 “**SECTION 2195g.** 79.07 of the statutes is repealed.”.

22 ***b0722/P1.5*984.** Page 899, line 6: delete lines 6 to 19.

23 ***b0888/2.1*985.** Page 899, line 19: after that line insert:

24 “**SECTION 2200m.** 84.01 (18) of the statutes is created to read:

1 84.01 (18) PLAN FOR TRANSPORTATION FINANCING FOR NEXT 10 YEARS. In each
2 even-numbered year, with the information submitted by the department under s.
3 16.42 (1), the department shall submit a 10-year plan that includes an estimate of
4 total transportation fund revenues, proposed bonding, and estimated debt service for
5 each year of the 10-year period covered by the plan. The plan shall include various
6 scenarios with different levels of transportation spending, from bond or cash sources,
7 and different levels of revenues, with at least one scenario resulting in achieving a
8 stable debt service percentage by the end of the 10-year period. For any scenario
9 resulting in an increasing debt service percentage, the plan shall identify the
10 potential consequences for specific transportation programs of reduced net
11 revenues.”.

12 ***b0915/2.15*986.** Page 899, line 23: after “state” insert “, a high-cost state
13 highway bridge project under s. 84.017.”.

14 ***b0895/2.2*987.** Page 900, line 13: after “(2m)” insert “, and is not described
15 in subd. 1m.”.

16 ***b0915/2.16*988.** Page 900, line 21: delete “84.03 (3),” and substitute
17 “84.017, 84.03 (3),”.

18 ***b0898/2.1*989.** Page 904, line 16: after that line insert:

19 **“SECTION 2221b.** 84.04 (1) (cm) of the statutes is created to read:

20 84.04 (1) (cm) “Special maintenance activities” include the restoration,
21 reinforcement, complete repair, or other activities which the department deems are
22 necessary on an individual basis for specified portions of the state trunk system.

23 **SECTION 2221c.** 84.04 (2) of the statutes is amended to read:

1 84.04 (2) The department may construct and maintain parking areas,
2 including car pool parking areas, waysides, overlooks, windbreak hedges, turnouts
3 and carry on roadside improvement along, or in close proximity with state trunk
4 highways. These activities may be performed within highway rights-of-way and
5 upon lands otherwise publicly owned or controlled, or on lands acquired in proximity
6 therewith. The department may acquire lands needed for such purposes. The
7 activities authorized under this subsection include special maintenance activities.

8 **SECTION 2221d.** 84.07 (1) of the statutes is renumbered 84.07 (1) (a) and
9 amended to read:

10 84.07 (1) (a) The state trunk highway system shall be maintained by the state
11 at state expense. The department shall prescribe by rule specifications for such
12 maintenance and.

13 (b) 1. Subject to subd. 2., the department may contract with any county
14 highway committee or municipality to have all or certain parts of the work of
15 maintaining the state trunk highways within or beyond the limits of the county or
16 municipality, including interstate bridges, performed by the county or municipality,
17 and any county or municipality may enter into such contract. ~~General~~

18 (c) For purposes of this section, maintenance activities include the all of the
19 following:

- 20 1. The application of protective coatings, the,
21 2. The removal and control of snow, the,
22 3. The removal, treatment, and sanding of ice, interim,
23 4. Interim repair of highway surfaces and adjacent structures, and all,
24 9. All other operations, activities, and processes required on a continuing basis
25 for the preservation of the highways on the state trunk system, ~~and including the,~~

1 5. The care and protection of trees and other roadside vegetation and suitable
2 planting to prevent soil erosion or to beautify highways pursuant to s. 66.1037, and
3 all measures deemed necessary to provide adequate traffic service. Special
4 maintenance activities include the restoration.

5 8. The preservation, reinforcement, complete and repair of travel surfaces,
6 shoulders, roadsides and traffic weigh stations, park and ride lots, drainage
7 facilities, bridges, and tunnels, or other activities which the department deems are
8 necessary on an individual basis for specified portions of the state trunk system.
9 Maintenance activities also include the.

10 6. The installation, replacement, rehabilitation, or maintenance of highway
11 signs, traffic control signals, highway lighting, pavement markings, and intelligent
12 transportation systems.

13 (e) The department may contract with a private entity for services or materials
14 or both associated with the installation, replacement, rehabilitation, or maintenance
15 of highway signs, traffic control signals, highway lighting, pavement markings, and
16 intelligent transportation systems under this subsection.

17 **SECTION 2221e.** 84.07 (1) (b) 2. of the statutes is created to read:

18 84.07 (1) (b) 2. The department may contract with a county highway committee
19 or municipality to have maintenance work performed under subd. 1. beyond the
20 limits of the county or municipality only as follows:

21 a. If a short segment of highway passes through a county and there is no access
22 or only limited access to that short highway segment from other parts of the county,
23 the department may contract with an adjoining county to maintain that short
24 highway segment.

1 b. The department may deploy county and municipal maintenance resources
2 across county lines for winter maintenance such as snow plowing, salting, and
3 deicing, for pothole filling, and for incidents such as pavement and deck failures,
4 incident response, and bridge hits.

5 **SECTION 2221f.** 84.07 (1) (c) 7. of the statutes is created to read:

6 84.07 (1) (c) 7. Restoring material losses, patching, mudjacking, joint filling,
7 crack sealing, and interim short resurfacing projects that are less than 500 feet in
8 length, less than three-fourths of an inch thick, and cost less than \$25,000.

9 **SECTION 2221g.** 84.07 (1) (d) of the statutes is created to read:

10 84.07 (1) (d) For purposes of this section, maintenance activities do not include
11 any of the following:

- 12 1. A highway improvement, as defined in s. 84.06 (1).
13 2. A repair that is a capital investment which will improve a highway facility
14 for at least 10 years.

15 **SECTION 2221h.** 84.07 (2) of the statutes is amended to read:

16 84.07 (2) REPAYMENT FOR STATE WORK. When any county or municipality
17 maintains the state trunk highways within or beyond the limits of the county or
18 municipality, including interstate bridges, in compliance with the arrangement with
19 the department but subject to sub. (1) (b) 2., the department shall pay the actual cost
20 of the maintenance, including the allowance for materials and the use of county or
21 municipal machinery and overhead expenses agreed upon in advance. The
22 payments shall be made upon presentation by the county highway committee or
23 municipal clerk of a properly itemized and verified account. The county highway
24 committee or municipal clerk shall present the itemized accounts for general

1 maintenance work no later than one month following the period during which the
2 work is performed.

3 **SECTION 2221i.** 84.07 (5) of the statutes is created to read:

4 **84.07 (5) COUNTY HIGHWAY DEPARTMENT MAINTENANCE CAPACITY AND FUNDING.** (a)
5 The department shall work cooperatively with county highway departments to
6 determine an appropriate level of state work sufficient to fully utilize manpower and
7 equipment needed for winter maintenance.

8 (b) Notwithstanding s. 16.42 (1) (e), in submitting information under s. 16.42
9 for purposes of each biennial budget bill, if the department determines that funding
10 for counties to perform needed maintenance activities is inadequate, the department
11 shall include a funding proposal for maintenance activities performed by counties
12 that is no less than the amount appropriated and allocated for this purpose for the
13 second fiscal year of the fiscal biennium in which the information is submitted and
14 that also includes an inflationary adjustment.”.

15 ***b0915/2.17*990.** Page 904, line 16: after that line insert:

16 **“SECTION 2221m.** 84.017 of the statutes is created to read:

17 **84.017 High-cost state highway bridge projects.** (1) In this section,
18 “high-cost state highway bridge project” means a project involving the construction
19 or rehabilitation of a bridge on the state trunk highway system, including
20 approaches, that has a total estimated cost of more than \$150,000,000, but does not
21 include any major interstate bridge project, as defined in s. 84.016 (1), or any project
22 involving a bridge that is part of a southeast Wisconsin freeway megaproject
23 enumerated under s. 84.0145 (3) (b).

1 (2) Subject to sub. (3) and s. 86.255, any high-cost state highway bridge project
2 may be funded only from the appropriations under s. 20.395 (3) (dr), (dw), and (dy).

3 (3) During the 2011-13 fiscal biennium, the department may encumber or
4 expend moneys from any of the appropriations under s. 20.395 (3) (aq), (av), (ax), (br),
5 (bq), (bv), (bx), (cq), (cv), and (cx) for preliminary costs associated with the
6 reconstruction of the Hoan Bridge and approaches to the east bank of the Milwaukee
7 River on I-794 in Milwaukee County.

8 (4) A high-cost state highway bridge project under this section may not be
9 considered a southeast Wisconsin freeway megaproject under s. 84.0145.”.

10 ***b0942/3.2*991.** Page 904, line 16: after that line insert:

11 “**SECTION 2221b.** 84.06 (2) of the statutes, as affected by 2011 Wisconsin Act
12 (this act), is amended to read:

13 84.06 (2) All such highway improvements shall be executed by contract based
14 on bids unless sub. (3) applies or unless the department finds that another method
15 as provided in sub. (3) ~~or~~ (4) would be more feasible and advantageous. Bids shall
16 be advertised for in the manner determined by the department. Except as provided
17 in s. 84.075, the contract shall be awarded to the lowest competent and responsible
18 bidder as determined by the department. If the bid of the lowest competent bidder
19 is determined by the department to be in excess of the estimated reasonable value
20 of the work or not in the public interest, all bids may be rejected. The department
21 shall, so far as reasonable, follow uniform methods of advertising for bids and may
22 prescribe and require uniform forms of bids and contracts. The department may
23 employ an accelerated bidding process if an improvement project is unexpectedly
24 needed and the normal timelines and bidding documents allow insufficient time to

1 follow uniform methods. The secretary shall enter into the contract on behalf of the
2 state. Every such contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87
3 and 16.89, but ss. 16.528, 16.752, 16.753, and 16.754 apply to the contract. Any such
4 contract involving an expenditure of \$1,000 or more shall not be valid until approved
5 by the governor. The secretary may require the attorney general to examine any
6 contract and any bond submitted in connection with the contract and report on its
7 sufficiency of form and execution. The bond required by s. 779.14 (1m) is exempt from
8 approval by the governor and shall be subject to approval by the secretary. This
9 subsection also applies to contracts with private contractors based on bids for
10 maintenance under s. 84.07.

11 **SECTION 2221c.** 84.06 (2) (a) of the statutes is renumbered 84.06 (2) and
12 amended to read:

13 84.06 (2) All such highway improvements shall be executed by contract based
14 on bids unless the department finds that another method as provided in sub. (3) or
15 (4) would be more feasible and advantageous. Bids shall be advertised for in the
16 manner determined by the department. Except as provided in s. 84.075, the contract
17 shall be awarded to the lowest competent and responsible bidder as determined by
18 the department. If the bid of the lowest competent bidder is determined by the
19 department to be in excess of the estimated reasonable value of the work or not in
20 the public interest, all bids may be rejected. The department shall, so far as
21 reasonable, follow uniform methods of advertising for bids and may prescribe and
22 require uniform forms of bids and contracts. ~~Except as provided in par. (b), the~~ The
23 department may employ an accelerated bidding process if an improvement project
24 is unexpectedly needed and the normal timelines and bidding documents allow
25 insufficient time to follow uniform methods. The secretary shall enter into the

1 contract on behalf of the state. Every such contract is exempted from ss. 16.70 to
2 16.75, 16.755 to 16.82, 16.87 and 16.89, but ss. 16.528, 16.752, 16.753, and 16.754
3 apply to the contract. Any such contract involving an expenditure of \$1,000 or more
4 shall not be valid until approved by the governor. The secretary may require the
5 attorney general to examine any contract and any bond submitted in connection with
6 the contract and report on its sufficiency of form and execution. The bond required
7 by s. 779.14 (1m) is exempt from approval by the governor and shall be subject to
8 approval by the secretary. This subsection also applies to contracts with private
9 contractors based on bids for maintenance under s. 84.07.

10 **SECTION 2221d.** 84.06 (2) (b) of the statutes is repealed.

11 **SECTION 2221e.** 84.06 (3) of the statutes is amended to read:

12 84.06 (3) ~~CONTRACTS WITH COUNTY OR MUNICIPALITY; DIRECT LABOR; MATERIALS FOR~~
13 EMERGENCY PROJECTS. ~~If the department finds that it would be more feasible and~~
14 ~~advantageous to have the improvement performed by the county in which the~~
15 ~~proposed improvement is located and without bids, For any improvement~~
16 ~~determined by the department to be an emergency and for which no private~~
17 ~~contractors are available to perform the work, the department may, by arrangement~~
18 ~~with the county highway committee of the county, without competitive bidding, enter~~
19 ~~into a contract satisfactory to the department with a county, city, village, or town to~~
20 ~~have the work done by the county forces and equipment of the county, city, village,~~
21 ~~or town.~~ In such contract the department may authorize the county, city, village, or
22 town to purchase, deliver, and store materials and may fix the rental rates of small
23 tools and equipment. The contract shall be between the county and the state and
24 shall not be based on bids, and may be entered into on behalf of the county by the
25 county highway committee and on behalf of the state by the secretary. Such contract

1 is exempted from s. 779.14 and from all provisions of chs. 16 and 230, except ss.
2 16.753 and 16.754. If the total estimated indebtedness to be incurred exceeds \$5,000
3 the contract shall not be valid until approved by the governor. ~~The provisions of this~~
4 ~~subsection relating to agreements between a county and the state shall also~~
5 ~~authorize and apply to such arrangements between a city, town, or a village and the~~
6 ~~state. In such cases, the governing body of the city, town, or village shall enter into~~
7 ~~the agreement on behalf of the municipality.”.~~

8 ***b0987/P1.45*992.** Page 904, line 19: on lines 19 and 23, delete “safety and
9 professional services” and substitute “administration”.

10 ***b0987/P1.46*993.** Page 904, line 20: delete “490.02” and substitute
11 “16.283”.

12 ***b0987/P1.47*994.** Page 904, line 23: delete “490.04” and substitute
13 “16.287”.

14 ***b0987/P1.48*995.** Page 905, line 12: on lines 12 and 15, delete “490.04” and
15 substitute “16.287”.

16 ***b1008/P2.14*996.** Page 905, line 21: delete the material beginning with
17 “and, if” and ending with “(2)” on line 22 and substitute “and, if real property, the real
18 property is not the subject of a petition under s. ~~568.9810~~ 16.310 (2)”.

19 ***b1008/P2.15*997.** Page 906, line 5: delete the material beginning with
20 “\$15,000, for” and ending with “s. ~~560.9810~~,” on line 7 and substitute “\$15,000, for
21 the transfer of surplus state real property to the department of administration under
22 s. ~~560.9810~~ 16.310,”.

1 ***b1008/P2.16*998.** Page 906, line 18: delete the material beginning with
2 “purposes, if the” and ending with “(2)” on line 19 and substitute “purposes, if the
3 property is not the subject of a petition under s. ~~560.9810~~ 16.310 (2)”.

4 ***b1008/P2.17*999.** Page 907, line 12: delete the material beginning with
5 “and is not” and ending with “(2)” on line 13 and substitute “and is not the subject
6 of a petition under s. ~~560.9810~~ 16.310 (2)”.

7 ***b0739/2.195*1000.** Page 908, line 16: delete lines 16 to 25.

8 ***b0739/2.196*1001.** Page 909, line 1: delete lines 1 to 7.

9 ***b0797/1.2*1002.** Page 909, line 7: after that line insert:

10 **“SECTION 2233g.** 84.28 (1) of the statutes is amended to read:

11 84.28 (1) Moneys from the appropriation under s. 20.370 (7) (mc) may be
12 expended for the renovation, marking and maintenance of a town or county highway
13 located within the boundaries of any state park, state forest or other property under
14 the jurisdiction of the department of natural resources. Moneys from the
15 appropriation under s. 20.370 (7) (mc) may be expended for the renovation, marking
16 and maintenance of a town or county highway located in the lower Wisconsin state
17 riverway as defined in s. 30.40 (15). Outside the lower Wisconsin state riverway as
18 defined in s. 30.40 (15), or outside the boundaries of these parks, forests or property,
19 moneys from the appropriation under s. 20.370 (7) (mc) may be expended for the
20 renovation, marking and maintenance of roads which the department of natural
21 resources certifies are utilized by a substantial number of visitors to state parks,
22 state forests or other property under the jurisdiction of the department of natural
23 resources. The department of natural resources shall authorize expenditures under
24 this subsection. The department of natural resources shall rank projects eligible for

1 assistance under a priority system and funding may be restricted to those projects
2 with highest priority. In ranking projects, the department of natural resources shall
3 consider whether the project is for the renovation, marking, or maintenance of roads
4 used for forestry management on property under the jurisdiction of the department
5 of natural resources.”.

6 ***b0897/3.1*1003.** Page 909, line 7: after that line insert:

7 “**SECTION 2233m.** 84.30 (5r) of the statutes is created to read:

8 84.30 (5r) SIGNS NONCONFORMING UNDER LOCAL ORDINANCES THAT ARE REALIGNED
9 BECAUSE OF STATE HIGHWAY PROJECTS. (a) In this subsection, “realignment” means
10 relocation on the same site.

11 (b) If a highway project of the department causes the realignment of a sign that
12 does not conform to a local ordinance, the realignment shall not affect the sign’s
13 nonconforming status under the ordinance.

14 (c) If in connection with a highway project of the department the department
15 proposes the realignment of a sign that does not conform to a local ordinance, the
16 department shall notify the governing body of the municipality or county where the
17 sign is located and which adopted the ordinance of the sign’s proposed realignment.
18 Upon receiving this notice, the governing body may petition the department to
19 acquire the sign and any real property interest of the sign owner. If the department
20 succeeds in condemning the sign, the governing body that made the petition to the
21 department shall pay to the department an amount equal to the condemnation
22 award, less relocation costs for the sign that would have been paid by the department
23 if the sign had been realigned rather than condemned. Notwithstanding s. 86.30 (2)
24 (a) 1. and (b) 1., 1g., and 1r., if the governing body fails to pay this amount, the

1 department may reduce the municipality's or county's general transportation aid
2 payment under s. 86.30 by an equal amount.

3 (d) This subsection does not permit the alteration or movement of a sign that
4 is nonconforming under this section.”.

5 ***b0790/P1.2*1004.** Page 909, line 22: before “and (2m)” insert “(2e).”.

6 ***b0785/4.19*1005.** Page 911, line 10: after that line insert:

7 “**SECTION 2237e.** 85.062 (3) (c) of the statutes is repealed.

8 **SECTION 2237m.** 85.063 (3) (b) 1. of the statutes is amended to read:

9 85.063 (3) (b) 1. Upon completion of a planning study under sub. (2), or, to the
10 satisfaction of the department, of a study under s. 85.022, a political subdivision in
11 a county, ~~or a transit authority created under s. 66.1039,~~ that includes the urban area
12 may apply to the department for a grant for property acquisition for an urban rail
13 transit system.

14 **SECTION 2237s.** 85.064 (1) (b) of the statutes is amended to read:

15 85.064 (1) (b) “Political subdivision” means any city, village, town, county, or
16 transit commission organized under s. 59.58 (2) or 66.1021 or recognized under s.
17 66.0301, ~~or transit authority created under s. 66.1039~~ within this state ~~or the~~
18 ~~southeastern regional transit authority under s. 59.58 (7).~~”.

19 ***b0791/2.2*1006.** Page 911, line 10: after that line insert:

20 “**SECTION 2237m.** 85.08 (4m) (c) (intro.) of the statutes is amended to read:

21 85.08 (4m) (c) *Railroad facilities acquisition grants and loans.* (intro.) The
22 department may make grants to eligible applicants for the purpose of preserving
23 freight rail service through the acquisition of rail property. The grant may be
24 composed of state funds, federal funds, state property, the use of state property, or

1 any combination of state funds, federal funds, state property, and the use of state
2 property. No grant for the acquisition of rail property improvements may exceed 80%
3 of the acquisition cost. No grant for the acquisition of rail property exclusive of rail
4 property improvements may exceed 100% of the acquisition cost. The department
5 shall give priority in awarding grants to those projects for which the applicant agrees
6 to pay greater than 20% of the cost of the acquisition of rail property improvements.

7 A grant may be made to an eligible applicant before or after abandonment of a
8 railroad line as defined in s. 85.09 (3). The department may permit an eligible
9 applicant's share of an increase in the acquisition cost of rail property or rail property
10 improvements to be paid in installments if the increase in acquisition cost is caused
11 by negotiation or litigation. No grant may be made under this paragraph for the
12 acquisition of rail property if the acquisition price exceeds an amount deemed
13 reasonable by the department. If a grant is made to an eligible applicant under this
14 paragraph, the department may award a loan to the eligible applicant for not more
15 than 15% of the acquisition cost. A grant of money or a loan made under this
16 paragraph shall be paid from the appropriation under s. 20.395 (2) (bq), (bu), or (bx)
17 or 20.866 (2) (uw). The department shall administer this program and shall have all
18 powers necessary and convenient to implement this paragraph and par. (d),
19 including the following powers:

20 **SECTION 2237s.** 85.08 (4m) (d) of the statutes is amended to read:

21 85.08 (4m) (d) *Railroad rehabilitation and construction grants and loans.* The
22 department may make grants to eligible applicants for the purpose of rehabilitating
23 or constructing rail property improvements. Construction shall be limited to that
24 which is required to continue rail service on a particular line or to provide alternative
25 rail service when a line has been abandoned. A grant under this paragraph may be

1 composed of state funds, federal funds, state property, the use of state property,
2 technical assistance, or any combination of state funds, federal funds, state property,
3 the use of state property, and technical assistance. The value of a grant may not
4 exceed 80% of the costs of rehabilitation or construction. The department shall give
5 priority in awarding grants to those projects for which the applicant agrees to pay
6 greater than 20% of the costs of rehabilitation or construction. If a grant is made to
7 an eligible applicant under this paragraph, the department may award a loan to the
8 eligible applicant for not more than 15% of the rehabilitation or construction costs.
9 A grant may be made before or after abandonment of a railroad line as defined in s.
10 85.09 (3). A grant or loan made under this paragraph shall be paid from the
11 appropriation under s. 20.395 (2) (bq), (bu), or (bx) or 20.866 (2) (uw).”.

12 ***b1008/P2.18*1007.** Page 911, line 14: delete the material beginning with
13 “and, if” and ending with “(2)” on line 15 and substitute “and, if real property, the real
14 property is not the subject of a petition under s. ~~568.9810~~ 16.310 (2)”.

15 ***b0964/1.1*1008.** Page 912, line 3: delete that line and substitute:

16 **“SECTION 2240m.** 85.095 (2) (b) of the statutes is amended to read:

17 85.095 (2) (b) To establish criteria for evaluating applications for harbor
18 assistance grants in order to provide for the disbursement of grants. In establishing
19 these criteria, the department ~~shall consult with the department of commerce and~~
20 shall give priority to applicants based on the amount of tonnage and waterborne
21 transportation handled in the harbor.”.

22 ***b0789/2.1*1009.** Page 913, line 5: after “available.” insert “These rules
23 providing for an additional fee shall not apply to individuals unless the department
24 offered an electronic filing or submission option in connection with a service on the

1 effective date of this subsection [LRB inserts date], and the department charged
2 an additional fee to individuals for electing this option as of that date.”.

3 ***b0913/3.1*1010.** Page 913, line 8: after that line insert:

4 “**SECTION 2245k.** 85.193 of the statutes is created to read:

5 **85.193 Borrow and material disposal sites for transportation projects.**

6 (1) DEFINITIONS. In this section:

7 (a) “Borrow” means soil or a mixture of soil and stone, gravel, or other material
8 suitable for use in the construction of embankments or other similar earthworks
9 constructed as part of a transportation project.

10 (b) “Borrow site” means a site off of the transportation project property from
11 which borrow is excavated for use in a transportation project.

12 (c) “Material disposal site” means a site off of the transportation project
13 property used for the lawful disposal of surplus materials from a transportation
14 project and that is under the direct control of the transportation project contractor
15 or a transportation project subcontractor. “Material disposal site” does not include
16 a private landfill that is not managed by the transportation project contractor or a
17 transportation project subcontractor or a landfill that is owned or directly controlled
18 by a political subdivision.

19 (d) “Political subdivision” means a city, village, town, or county.

20 (e) “Transportation project” means a construction or maintenance project
21 directed and supervised by the department that relates to an airport, railroad,
22 highway, bridge, or other transportation facility and that is subject to an agreement
23 under s. 30.2022.

1 (2) EXEMPTION FROM LOCAL ZONING. No zoning ordinance enacted under s. 59.69,
2 60.61, 60.62, 61.35, or 62.23 may apply to a borrow site or material disposal site if
3 all of the following apply:

4 (a) The owner of the property consents to the establishment of a site on his or
5 her property.

6 (b) The department determines that the site is not a commercial establishment
7 that has a fixed place of business from which the establishment regularly supplies
8 processed or manufactured materials or products.

9 (c) The transportation project contractor assumes sole responsibility for the
10 operation of the site.

11 (d) The site is used solely for the specified transportation project and solely
12 during the period of construction of the specified transportation project.

13 (e) The transportation project contractor or a transportation project
14 subcontractor does not crush, screen, wash, blast, or apply another manufacturing
15 process to mineral aggregate from the borrow site, on or off the borrow site, to
16 produce finished aggregate products.

17 (g) The transportation project contractor complies with all of the following:

18 1. Any applicable noise limit standards for mine and quarry operations
19 established under s. 101.15 (2) (e).

20 2. Any applicable restoration requirements for construction site erosion control
21 established under s. 85.19 (1) and any applicable restoration requirements
22 established under an agreement under s. 30.2022.”.

23 ***b0911/1.2*1011.** Page 913, line 21: delete the material beginning with that
24 line and ending with page 914, line 6.

1 ***b0911/1.3*1012.** Page 914, line 19: delete the material beginning with that
2 line and ending with page 915, line 17.

3 ***b0911/1.4*1013.** Page 915, line 25: delete the material beginning with that
4 line and ending with page 916, line 6.

5 ***b0911/1.5*1014.** Page 916, line 14: delete lines 14 to 19.

6 ***b0910/2.2*1015.** Page 916, line 19: after that line insert:

7 **"SECTION 2255m.** 85.205 of the statutes is created to read:

8 **85.205 Paratransit aids. (1) DEFINITIONS.** In this section:

9 (a) "Eligible applicant" has the meaning given in s. 85.20 (1) (b).

10 (b) "Paratransit service" means comparable transportation service required by
11 the federal Americans with Disabilities Act for individuals with disabilities who are
12 unable to use fixed route transportation services.

13 (c) "Urban mass transit system" has the meaning given in s. 85.20 (1) (L).

14 **(2) ADMINISTRATION.** (a) From the appropriation under s. 20.395 (1) (hq), the
15 department shall provide aid payments to eligible applicants that receive state aid
16 payments under s. 85.20 (4m) and that are served by an urban mass transit system
17 that provides paratransit service to assist those eligible applicants in providing
18 paratransit service.

19 (b) In awarding grants under par. (a), the department shall do all of the
20 following:

21 1. Maximize the level of paratransit service provided by urban mass transit
22 systems serving eligible applicants.

1 2. Give priority to eligible applicants for maintaining paratransit service
2 provided by urban mass transit systems on the effective date of this subdivision
3 [LRB inserts date].”.

4 ***b0987/P1.49*1016.** Page 916, line 22: delete “490.04” and substitute
5 “16.287”.

6 ***b0771/1.2*1017.** Page 916, line 23: delete the material beginning with that
7 line and ending with page 918, line 1.

8 ***b0912/5.2*1018.** Page 918, line 1: after that line insert:
9 “SECTION 2267x. 86.25 (4) of the statutes is amended to read:
10 86.25 (4) Sections 61.54, 62.15 and 66.0901 (1) and (2) to (9) shall not apply to
11 funds provided or agreements made pursuant to this section.”.

12 ***b0957/1.1*1019.** Page 918, line 5: delete “2010,” and substitute “2010,”.

13 ***b0957/1.3*1020.** Page 918, line 6: delete “, and \$2,053 in calendar year
14 2012”.

15 ***b0957/1.2*1021.** Page 918, line 6: delete “and \$2,117” and substitute “and
16 \$2,117”.

17 ***b0957/1.4*1022.** Page 918, line 12: delete “15” and substitute “10”.

18 ***b0957/1.5*1023.** Page 918, line 16: delete “15” and substitute “10”.

19 ***b0957/1.6*1024.** Page 918, line 23: delete “15” and substitute “10”.

20 ***b0897/3.2*1025.** Page 918, line 23: after that line insert:

21 “SECTION 2271m. 86.30 (2) (dr) of the statutes is created to read:

1 86.30 (2) (dr) *Aid reduction related to outdoor advertising sign condemnation.*
2 The department may reduce aids paid to a county or municipality under par. (e) as
3 provided in s. 84.30 (5r) (c).”.

4 ***b0957/1.7*1026.** Page 919, line 4: delete “\$93,975,100” and substitute
5 “\$102,615,600”.

6 ***b0957/1.8*1027.** Page 919, line 11: delete “\$295,656,600” and substitute
7 “\$308,904,300”.

8 ***b0957/1.9*1028.** Page 919, line 15: delete the material beginning with that
9 line and ending with page 920, line 21.

10 ***b0925/1.1*1029.** Page 920, line 21: after that line insert:

11 “**SECTION 2278d.** 86.31 (2) (a) of the statutes is amended to read:

12 86.31 (2) (a) The department shall administer a local roads improvement
13 program to accelerate the improvement of seriously deteriorating local roads by
14 reimbursing political subdivisions for improvements. The selection of improvements
15 that may be funded under the program shall be performed by officials of each political
16 subdivision, consistent with par. (h) and the requirements of subs. (3), (3g), (3m), and
17 (3r). The department shall notify each county highway commissioner of any deadline
18 that affects eligibility for reimbursement under the program no later than 15 days
19 before such deadline.

20 **SECTION 2278e.** 86.31 (2) (b) of the statutes is amended to read:

21 86.31 (2) (b) Except as provided in par. (d) (g), improvements for highway
22 construction projects funded under the program shall be under contracts. Such
23 contracts shall be awarded on the basis of competitive bids and shall be awarded to
24 the lowest responsible bidder. ~~If a city or village does not receive a responsible bid~~

1 ~~for an improvement, the city or village may contract with a county for the~~
2 ~~improvement.~~ A town may contract with a county for the an improvement subject
3 to the criteria and procedures promulgated as rules under sub. (6) (h).

4 **SECTION 2278f.** 86.31 (2) (d) of the statutes is repealed.

5 **SECTION 2278g.** 86.31 (2) (f) of the statutes is created to read:

6 86.31 (2) (f) Notwithstanding par. (d), if a county has prepared a written and
7 sealed estimate of the cost of an improvement in connection with or anticipation of
8 competitive bidding for the award of a contract for the improvement, the county may
9 not itself perform the work on the improvement.

10 **SECTION 2278h.** 86.31 (2) (f) of the statutes, as created by 2011 Wisconsin Act
11 (this act), is amended to read:

12 86.31 (2) (f) ~~Notwithstanding par. (d), if~~ If a county has prepared a written and
13 sealed estimate of the cost of an improvement in connection with or anticipation of
14 competitive bidding for the award of a contract for the improvement, the county may
15 not itself perform the work on the improvement.

16 **SECTION 2278i.** 86.31 (2) (g) of the statutes is created to read:

17 86.31 (2) (g) 1. Except as provided in par. (f), if the cost of an improvement on
18 a county trunk highway is less than \$100,000, the county having jurisdiction over
19 the highway may perform the work on the improvement itself.

20 2. If the cost of an improvement on a street is less than \$100,000, the city or
21 village having jurisdiction over the street may contract with the county in which the
22 street is located to perform the work on the improvement.

23 **SECTION 2278j.** 86.31 (2) (h) of the statutes is created to read:

24 86.31 (2) (h) A double seal coat project on a town road may be funded under the
25 program if it has a projected life of at least 10 years, similar projects in the same

1 geographic area have performed satisfactorily, and the county highway
2 commissioner of the county in which the project is located approves the project's
3 eligibility for funding.

4 **SECTION 2278k.** 86.31 (3g) of the statutes is amended to read:

5 86.31 (3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS — DISCRETIONARY GRANTS.
6 From the appropriation under s. 20.395 (2) (ft), the department shall allocate
7 ~~\$5,355,000 in fiscal year 2007-08, \$5,462,100 in fiscal year 2008-09, and \$5,127,000~~
8 in fiscal year 2009-10 and in fiscal year 2010-11, and \$10,127,000 in fiscal year
9 2011-12 and each fiscal year thereafter, to fund county trunk highway
10 improvements with eligible costs totaling more than \$250,000. The funding of
11 improvements under this subsection is in addition to the allocation of funds for
12 entitlements under sub. (3).

13 **SECTION 2278m.** 86.31 (3m) of the statutes is amended to read:

14 86.31 (3m) TOWN ROAD IMPROVEMENTS — DISCRETIONARY GRANTS. From the
15 appropriation under s. 20.395 (2) (ft), the department shall allocate ~~\$765,000 in fiscal~~
16 ~~year 2007-08, \$780,300 in fiscal year 2008-09, and \$732,500 in fiscal year 2009-10~~
17 and in fiscal year 2010-11, and \$5,732,500 in fiscal year 2011-12 and each fiscal year
18 thereafter, to fund town road improvements with eligible costs totaling \$100,000 or
19 more. The funding of improvements under this subsection is in addition to the
20 allocation of funds for entitlements under sub. (3).

21 **SECTION 2278n.** 86.31 (6) (g) of the statutes is repealed.”.

22 ***b0739/2.197*1030.** Page 921, line 23: delete the material beginning with
23 that line and ending with page 922, line 19.

24 ***b0980/3.29*1031.** Page 925, line 3: after that line insert:

1 **"SECTION 2299r.** 93.40 (1) (g) of the statutes is amended to read:

2 93.40 (1) (g) Promote the growth of the dairy industry through research,
3 planning and assistance, including grants and loans to dairy producers.".

4 ***b0869/1.2*1032.** Page 925, line 9: delete that line.

5 ***b0872/1.1*1033.** Page 925, line 11: delete lines 11 to 14.

6 ***b0872/1.2*1034.** Page 925, line 15: after that line insert:

7 **"SECTION 2305c.** 93.46 (2) (e) of the statutes is amended to read:

8 93.46 (2) (e) The department may not make a grant under this subsection that
9 exceeds ~~75~~ 67 percent of project costs."

10 ***b0869/1.3*1035.** Page 925, line 16: delete that line.

11 ***b0871/3.5*1036.** Page 925, line 17: delete that line and substitute:

12 **"SECTION 2307c.** 93.73 (2) (b) of the statutes is amended to read:

13 93.73 (2) (b) The department, after consultation with the council under sub.
14 (13), shall solicit applications under sub. (3) ~~at least annually.~~ The department shall
15 issue each solicitation in writing and shall publish a notice announcing the
16 solicitation. In soliciting applications, the department may specify the total amount
17 of funds available, application deadlines, application requirements and procedures,
18 preliminary criteria for evaluating applications, and other relevant information."

19 ***b0868/1.2*1037.** Page 926, line 3: after that line insert:

20 **"SECTION 2309g.** 97.60 of the statutes is repealed."

21 ***b0961/1.1*1038.** Page 926, line 10: delete the material beginning with that
22 line and ending with page 927, line 7.

23 ***b1002/2.1*1039.** Page 927, line 7: after that line insert:

1 **"SECTION 2311f.** 100.27 (4) of the statutes is created to read:

2 100.27 (4) MERCURIC OXIDE BUTTON CELL BATTERIES. No person may sell or offer
3 for sale a mercuric oxide button cell battery.

4 **SECTION 2311g.** 100.27 (5) (title) of the statutes is amended to read:

5 100.27 (5) (title) ~~MERCURIC~~ OTHER MERCURIC OXIDE BATTERIES.".

6 ***b0975/1.1*1040.** Page 932, line 6: after that line insert:

7 **"SECTION 2330c.** 101.09 (1) (cm) of the statutes is created to read:

8 101.09 (1) (cm) "Secondary containment" means a barrier, approved by the
9 department, that is installed around a storage tank system and that is designed to
10 prevent a leak from a primary tank or piping from contacting the surrounding earth
11 or waters of the state.

12 **SECTION 2330g.** 101.09 (3m) of the statutes is created to read:

13 101.09 (3m) SECONDARY CONTAINMENT REQUIREMENTS. (a) In this subsection,
14 "hazardous substance" means a combustible liquid, a flammable liquid, or a federally
15 regulated hazardous substance.

16 (b) The department may not impose any requirement that specifies that pipe
17 connections at the top of a storage tank and beneath all freestanding pumps and
18 dispensers that routinely contain a hazardous substance be placed within secondary
19 containment sumps, if the pipe connections were installed or in place on or before
20 February 1, 2009. This subsection does not apply after December 31, 2020."

21 ***b0739/2.198*1041.** Page 932, line 10: delete lines 10 to 13.

22 ***b0739/2.199*1042.** Page 932, line 15: delete lines 15 to 25.

23 ***b0739/2.200*1043.** Page 933, line 1: delete lines 1 to 19.

24 ~~***b0991/1.1*1044.** Page 945, line 17: after that line insert:~~

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H